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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,410	10/29/2001	Masao Hashimoto	RCOH-1040	7210

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EXAMINER

HAVAN, THU THAO

ART UNIT	PAPER NUMBER
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2672

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DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,410

Applicant(s)

HASHIMOTO, MASAO

Examiner

Thu-Thao Havan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Herregods et al. (US patent no. 6,064,397) in view of Celi, Jr. et al. (US patent no. 6,538,660).

Re claim **1**, Herregods teaches a method of image processing comprising the steps of selecting pages of image to identify selected pages (col. 1, lines 15-65), combining the selected pages of the image into a single overlapping image (col. 4, lines 34-50), displaying the single overlapping image (col. 3, lines 28-65; col. 2, lines 4-26), and selecting a portion of the single overlapping image to specify a selected portion and selecting a process to be performed on the selected portion (col. 14, lines 44-56), simultaneously image processing the selected portion of each of the pages of the image based upon the selected process while the single overlapped image is being displayed image processed pages of the image being generated (col. 14, line 44 to col. 15, line

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33), and outputting separately each of the image processed pages of the image (col. 2, lines 50-65). In other words, Herregods teaches each bitmap portion consists of a rectangular area with horizontal and vertical sides, which fully overlaps one or more page specific image regions. A page specific image region can be a rectangle rotated over e.g. 30 degrees. In that case, the bitmap portion is preferentially the smallest horizontally oriented rectangle, enclosing the rotated rectangle. A polygon or any other closed path may also delineate the page specific image region. The bitmap portion is also in that case preferentially the smallest enveloping horizontal rectangle. A specific image region can contain personal identification data such as a person's name, address, etc., a digital representation of a person's photograph, a numeric representation or a barcode for a person's registration number, etc. The specific image region can also describe a specific item, such as a specific house in a real estate database, or specific object in a collection. The page specific image region can lie completely within the background image region, partly overlap it or be completely disjunctive from it. It is also possible that more than one page specific image region is present on each sheet. It is possible for example that a person's name appears on two different locations of the sheet, or that his name appears at one page specific image region and his picture appears on another page specific image region. If more than one page specific image region is present, it is possible that these regions partly or entirely overlap. In addition, he teaches if more than one page specific image region is present in a background image region, it is possible that two or more of these image regions have overlapping portions. In that case, it is important to decide which page specific

image region must be visible over the other for the common portion. This overlap sequence must be transmitted to the variable data merger. That sequence will impose the order in which each current page of the plurality of VDFx.PS files will be included in the data stream. A VDFx.PS file, describing a page specific image region, which is covered by a page specific region described by a VDFy.PS, will appear in the output data stream for each page before the VDFY.PS file data.

Herregods fails to disclose the step of while the single overlapping image is being displayed. Celi, on the other hand, specifically teaches the step of while the single overlapping image is being displayed (col. 3, line 30 to col. 4, line 34). In that Celi teaches the secondary application may specify blending parameters such as the degree of transparency when superimposing the secondary output over the primary output. Further, the secondary application may specify an opaque transparency where the primary content would not appear through the secondary output. In that the single overlapping image is the superimposing of two applications. Therefore, having the combined teaching of Herregods and Celi as a whole, one of ordinary skill in the art would have found it obvious to modify the documenting step of Herregods to have overlapping image being displayed as claimed. Doing so would enable blending the primary application to overlap with the secondary application in that the applications are superimposed in a display.

Re claims **2, 12, and 22**, Herregods discloses image processing is to remove the selected portion (col. 5, lines 10-34). In other words, Herregods teaches a specific feature of the current invention is that one or more portions of said bitmap

representation are extracted from the bitmap memory means, once the bitmap representation for the background image region has been generated. Each portion preferentially corresponds to one page specific image region. The portion that is extracted preferentially coincides with the page specific image region or, as described above, is an enveloping rectangle comprising said page specific image region.

Re claims **3, 13, and 23**, Herregods discloses image processing is to insert data into the selected portion (col. 8, lines 39 to col. 9, line 6). Herregods teaches the image data is inserted just after the commands, which will consume these data such that they are directed to the correct positions within the bitmap.

Re claims **4, 14, and 24**, Herregods discloses data includes a combination of an image and text (col. 3, lines 40-65).

Re claims **5, 15, and 25**, Herregods discloses image processing is to move the selected portion within the single overlapping image (col. 4, lines 51-67; col. 14, lines 44-56; col. 3, lines 28-65; col. 2, lines 4-26).

Re claims **6, 16, and 26**, Herregods discloses the selected portion is an entire portion of the single overlapping image, image processing comprising selecting a paper size to fit the entire portion of the single overlapping image, outputting step printing each of the image processed pages onto a sheet of the selected paper size (col., lines).

Re claims **7, 17, and 27**, Herregods discloses outputting step is to print out each of the image processed pages of the image (col. 6, lines 10-16). Herregods teaches printing the sheet and restoring the bitmap portion are repeated over and over until all pages are printed. The restoration of the bitmap before the first sheet print or after the

last sheet print is optional, and can be effectuated or not, based on organisational considerations.

Re claims **8, 18, and 28**, Herregods discloses displaying a rectangle to indicate the selected portion, dragging a first portion of the rectangle to change a size of the rectangle, and dragging a second portion of the rectangle to move a position of the rectangle (col. 8, line 39 to col. 9, line 65). Herregods teaches a page specific image region can be a rectangle rotated over e.g. 30 degrees. In that case, the bitmap portion is preferentially the smallest horizontally oriented rectangle, enclosing the rotated rectangle. The page specific image region may also be delineated by a polygon or any other closed path. The bitmap portion is also in that case preferentially the smallest enveloping horizontal rectangle.

Re claims **9-10, 19-20, and 29**, Herregods discloses an inside/outside area of the rectangle is image processed in image processing step (col. 11, lines 29 to col. 13).

Re claims **11 and 21**, the limitation of claims 11 and 21 are identical to claim 1 above. Therefore, claims 11 and 21 are treated with respect to grounds as set forth for claim 1 above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nagata et al., US patent no. 6,466,224

Bourdev, US patent no. 6,515,675

Shimotono et al., US patent no. 6,369,826

Knox, US patent no. 6,331,860

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Thu-Thao Havan
Art Unit: 2672
March 31, 2004



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600